UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,988	07/24/2002	Brian Evan McGinnis	06-545-B	5980

20306 7590 09/18/2006

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

EXAMINER	
SCUDERI, PHILIP S	

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/019,988	MCGINNIS ET AL.	
	Examiner	Art Unit	
	Philip S. Scuderi	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-63* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-63* is/are rejected.

7)☒ Claim(s) *5,6,23 and 49* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office action is in response to the communication filed on 26 June 2006.

Response to Arguments

Applicant argues that the limitation "stored on a palm-sized computer" would be meaningless if loading a page in memory before displaying it were enough to satisfy the limitation (page 11 of applicant's response). The examiner agrees that construing the claim limitation to be merely loading a page in memory before displaying it was not a reasonable interpretation of the limitation in view of the specification. Therefore, the rejections set forth in the last Office action have been withdrawn.

Applicant's remaining arguments have been considered but are moot in view of the new ground(s) of rejection below.

Claim Objections

Claims 5, 6, and 23 are objected to for minor informalities. These claims refer to "claim I" and should presumably refer to "claim 1".

Claim 49 is objected to for a minor informality. The word "sewer" in line 5 should presumably be "server".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 49, 50, 61, and 62 are rejected under 35 U.S.C. 102(e) as being anticipated by Kloba (U.S. Patent No. 6,341,316).

Regarding claim 49, Kloba teaches a system comprising:

a palm-sized computer running a browser application (column 10, line 36 et seq.);

a synchronization server, in communication with the palm-sized computer (figure 1, 152); and

a network management server, in communication with the synchronization server (column 9, line 14 et seq.).

Regarding claim 50, Kloba teaches that the palm-sized computer is smaller than four inches by six inches (column 10, line 36 et seq.).

Regarding claim 61, Kloba teaches a communications cradle which the palm-sized computer engages and communicates with, said communications cradle in communication with the network management server (column 8, lines 16-28).

Regarding claim 62, Kloba teaches that the communication between the palm-sized computer and the synchronization server includes a radio link (column 9, lines 48-62).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the

subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prithviraj (U.S. Patent No. 5,987,513) in view of Kloba (U.S. Patent No. 6,341,316).

Regarding claim 1, Prithviraj teaches a method comprising:

accessing a page containing network management information (accessing a page providing access to various templates, wherein the templates can cause data from multiple elements to be retrieved and displayed in a single display) (column 13, lines 1-26);

indicating a network management function (any of the disclosed functions that manage the network elements) (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38);

transmitting the indicated network management function to a server (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38); and

receiving updated network management information, responsive to the indicated network management function (displaying refreshed information) (column 21, lines 22-26).

Prithviraj does not teach that *the page is accessed by and stored on a palm-sized computer.* Prithviraj does not expressly state that the server is a *synchronization* server (although the examiner does not admit that Prithviraj's server cannot be considered a "synchronization server").

The clients disclosed by Prithviraj appear to be general client computing systems (e.g., figure 1). However, there is no reason that other types of client computers could not access Prithviraj's server (NMS 101) because it is merely a standard web server (e.g., figure 1, column 12, line 65 et seq.) and Prithviraj expressly discloses that the disclosed embodiments are merely examples and that various types of clients can be used, including special purpose computer systems and the like (column 6, line 61 et seq.).

In a similar art, Kloba teaches a system for accessing web content (column 3, line 63 et seq.; column 7, line 24 et seq.) through a synchronization server (figure 1, 104) using a palm-sized computer (column 10, line 36 et seq.), wherein the palm-sized computers cache the web content locally (column 15, line 35 – column 16, line 50). Kloba's system provides advantages such as enabling users to conveniently access and interact with content using mobile devices (column 1, lines 61-67). Therefore, it would have been obvious to use Kloba's system to access the web content stored on Prithviraj's server in the instant case.

Regarding claim 25, Prithviraj teaches a method comprising:

accessing a page containing network inventory scope choices (accessing a page providing access to various templates, wherein the templates can cause data from multiple elements to be retrieved and displayed in a single display) (column 13, lines 1-26);

indicating a scope of network inventory information (indicating the network elements to access) (column 13, lines 1-26);

transmitting the indicated scope of network inventory information to a server (transmitting the network element identifier(s) to NMS 101) (column 13, lines 1-26); and

receiving network inventory information, responsive to the indicated network management function (displaying the information provided by NMS 101, which can include management information for different network elements, etc.) (column 13, lines 1-26).

Prithviraj does not teach that *the page is accessed by and stored on a palm-sized computer.* Prithviraj does not expressly state that the server is a *synchronization* server (although the examiner does not admit that Prithviraj's server cannot be considered a "synchronization server").

The clients disclosed by Prithviraj appear to be general client computing systems (e.g., figure 1). However, there is no reason that other types of client computers could not access Prithviraj's

server (NMS 101) because it is merely a standard web server (e.g., figure 1, column 12, line 65 et seq.) and Prithviraj expressly discloses that the disclosed embodiments are merely examples and that various types of clients can be used, including special purpose computer systems and the like (column 6, line 61 et seq.).

In a similar art, Kloba teaches a system for accessing web content (column 3, line 63 et seq.; column 7, line 24 et seq.) through a synchronization server (figure 1, 104) using a palm-sized computer (column 10, line 36 et seq.), wherein the palm-sized computers cache the web content locally (column 15, line 35 – column 16, line 50). Kloba's system provides advantages such as enabling users to conveniently access and interact with content using mobile devices (column 1, lines 61-67). Therefore, it would have been obvious to use Kloba's system to access the web content stored on Prithviraj's server in the instant case.

Regarding claim 49, the claim is rejected for at least the same reasons as claims 1 and 25.

Regarding claims 2, 26, and 50, Kloba teaches that the palm-sized computer is smaller than four inches by six inches (column 10, line 36 et seq.).

Regarding claims 3, 4, 27, 28, 51, and 52, Kloba does not expressly disclose that the palm-sized computer has a 160 by 160 pixel display. Nonetheless, palm-sized computers with such displays were well known in the art and would have been obvious to use in the instant case for the same reasons that Kloba uses any of the other palm-sized computers that are expressly disclosed (column 10, lines 36-42).

Regarding claims 5 and 29, Kloba does not expressly disclose that the palm-sized computer has a pressure sensitive display and the indicating step includes pressing a stylus against the display. Nonetheless, palm-sized computers with pressure sensitive displays were well known in the art and

would have been obvious to use in the instant case for the same reasons that Kloba uses any of the other palm-sized computers that are expressly disclosed (column 10, lines 36-42).

Regarding claims 6, 30, and 53-55, Prithviraj teaches that the network management function and the network inventory information include changing the configuration of a device (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38).

Regarding claims 7, 31, and 56-58, Prithviraj teaches that the network management function and the network inventory information include changing the inventor description of a device (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38).

Regarding claims 8, 32, 59, and 60, Prithviraj teaches that the network management function and the network inventory information include historical information about a device (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38).

Regarding claims 9 and 33, Prithviraj teaches that the network management function and the network inventory information include web-based support information (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38).

Regarding claims 10 and 34, Prithviraj teaches that the network management function and the network inventory information include intranet-based support information (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38).

Regarding claims 11 and 35, Prithviraj teaches that the network management function and the network inventory information include server-based support information (column 13, lines 25-26; column 15, lines 40-46; column 16, lines 29-38).

Regarding claims 12, 36, and 61, Kloba teaches that connecting to the synchronization server includes placing the palm-sized computer in a communications cradle and pressing a hot sync button (column 5, lines 41-52; column 8, lines 16-28).

Regarding claims 13 and 37, Kloba teaches that pressing the hot sync button starts the synchronization server (column 5, lines 41-52).

Regarding claims 14, 38, and 62, Kloba teaches that connecting to the synchronization server includes using a radio signal and a wireless communication server in communication with the synchronization server (figure 1; column 9, lines 48-62).

Regarding claims 15 and 39, Kloba teaches that a wireless communication server starts the server when needed (column 5, lines 41-52).

Regarding claims 16 and 40, Kloba teaches that connecting with the synchronization server includes using encryption (SSL) (column 5, lines 41-52).

Regarding claims 17, 41, and 63, Kloba teaches that any wireless protocol can be utilized to connect to the synchronization server (column 9, lines 48-62). Infrared communication was well known in the art and had well known advantages such as low cost and low interference with other signals. Infrared would have been obvious to utilize in the instant case for the same reasons.

Regarding claims 18 and 42, Kloba teaches that the transmitting and receiving includes encoding and decoding in a compact markup language (column 5, line 12 et seq.).

Regarding claims 19, 20, 43, and 44, Kloba encodes the markup language for efficiency (column 5, line 12 et seq.), but does not expressly disclose use of five-bit encoding or variable length strings. Nonetheless, formats that used five-bit encoding and variable length strings were well known in the art (e.g., CML). It would have been obvious to use such protocols in the instant case for the same reasons.

Regarding claims 21, 22, 45, and 46, Prithviraj teaches that the page includes a form and data (column 13, lines 1-26) and the updated version of the management information includes an updated version of some or all of the data and does not include the form (column 21, lines 22-26).

Regarding claims 23 and 47, Prithviraj and Kloba do not expressly disclose a proxy server, as claimed. However, proxy servers were well known in the art and provided advantages such as providing clients with anonymous server access and improving response time by providing caching. Therefore, it would have been obvious to use a proxy server in the instant case.

Regarding claim 24, Prithviraj and Kloba teach transmitting the indicated network function and the network scope information from the synchronization server (Kloba, figure 1) to a network management server (Prithviraj, figure 1) and transmitting the updated network information from the network management server (Prithviraj, figure 1) to the synchronization server (Kloba, figure 1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PS

KRISNA LIM
PRIMARY EXAMINER